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**City of Beverly
Regular City Council Meeting
Public Meeting Minutes
Monday, February 7, 2022, 7:00pm
City Council Chambers, 191 Cabot St.**

CITY OF BEVERLY
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2022 FEB 17 P 5:45

Julie Flowers, City Council President, called the meeting to order at 7:00pm, City Clerk, Lisa Kent, took the attendance by roll call.

Members Present: Hannah Bowen, Steven Crowley, Kathleen Feldman, Scott Houseman, Estelle Rand, Todd Rotondo, Brendan Sweeney, Matthew St. Hilaire, Julie Flowers

Members Absent: None

Rand led the pledge of allegiance.

Resolution

Order #045-Councilor St. Hilaire-Stu Irving, Silver Medalist in 1972 Olympics.

A vote was taken, and the motion carried (9-0).

Presentations, Awards and Memorials

Dean Berg, Executive Director Green Beverly

Berg presented updates on what Green Beverly has been doing in the past few months. The two major categories of services are community projects and community engagement. The three current community projects are Urban Agriculture, GreenUp 100 (upgrading to 100% renewable electricity for low-income housing), and Food Diversion. On the community engagement side, there will be a sustainability showcase built in the Green Beverly space at the Cummings Center with a grant from the Beverly Cultural Council. There are events coming up, and the biggest two are Coastal Communities Talk Water at the Cabot on March 10 and Earth Fest at Lynch Park on April 24. There will also be a number of workshops coming up.

Bowen asked about opportunities for people to think about how to use outdoor spaces differently and if there are actions that city departments could help take or policies councilors could think about putting in place.

Berg stated there are certainly opportunities to look at spaces differently. One idea has been for Green Beverly to have pop-ups in different places. Green Beverly works very closely with Erina Keefe, the Sustainability Director. Officially Green Beverly's focus is on the residential and local business side.

Julia Long, Green Beverly member, stated that Earth Fest is co-sponsored by the City and Green Beverly. Councilors will be hearing more about that and should keep it on their radar.

Houseman suggested the civic associations as a place for outreach.

Flowers thanked Berg for the presentation and Green Beverly's work and stated it will be a collaborative effort.

Comments by Citizens

Leah Jones, 211 Lothrop Street

Jones stated she is here as a resident, a Human Rights Committee member, and a mom. Jones read a short statement on behalf of the Human Rights Committee asking for a vote to amend Beverly's City Council rules to include a land acknowledgement statement. Jones also read a statement of support from Lauren Barthold, 16 Whitney Avenue, who could not attend the meeting.

Wayne Miller, 5 Pasture Road

Miller expressed his support for adding the land acknowledgement statement. Miller stated Green Beverly's executive board has welcomed the idea of using a land acknowledgement statement.

Lorinda Visnick, 39 Middlebury Lane

Visnick stated she is speaking on behalf of herself as a resident and not representing the School Committee. Visnick said she is in favor of the acknowledgement and celebrates the fact that groups are committed to doing better.

Minutes

Legal Affairs and Public Services/Committee of the Whole, November 15, 2021

Regular City Council Meeting, December 6, 2021

Regular City Council Meeting, January 18, 2022

Legal Affairs/Committee of the Whole, January 31, 2022

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Communications from His Honor the Mayor

Order #029-Grant-A \$7,974.36 grant for Community Traffic Safety Projects Grant from the EOPSS and the OGR for the Beverly Fire Department to purchase child passenger safety seats.

Referred to Committee on Finance and Property.

Order #030-Reappointment-to serve on the Beverly Golf and Tennis Commission, Mr. Martin Lawler, 109 Water Street.

Referred to Committee on Public Services.

Order #031-Reappointment-to serve on the Parking and Traffic Commission, Mr. Jonathan Salt, Sgt Michael Henebury, Traffic Sargent designee BPD and Captain Ryan Laracy designee BFD.

Referred to Committee on Legal Affairs.

Order #032-Transfer from the Airport Enterprise Fund balance of \$175,000 to fund continuation work with the testing and monitoring of property at the airport.

Referred to Committee on Finance and Property.

Order #046-Declaration Regarding the Unique Qualities and Location of 14 and 34 Simon Street for Purposes of Acquisition Under Massachusetts General Laws Chapter 30B, Section 16(e)(2).

Referred to Committee on Legal Affairs.

Communications from other City Officers and Boards

Order #033-Councilor Rotondo and Councilor Crowley-Consideration request to hold a Public Service forum to address the flooding in Ward 1 and Ward 3.

Referred to Committee on Public Services.

Order #034-City Clerk-A letter to the Council of our intentions to ask for an increase in election workers salaries in the FY23 City Clerk Budget.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (9-0).

Order #035-Councilors St. Hilaire, Feldman and Crowley-A request for four Veterans Plaques to be placed in different locations in the city. Two in ward six, one in ward five and one in ward three. These Veterans were killed in action in Vietnam.

Referred to Committee on Public Services.

Order #036-Council President-Reappointment-City Clerk and Clerk of Council Lisa Kent.

Referred to Committee on Legal Affairs.

Order #037-Councilor Crowley-Request to hold a Public participation forum for a Public Service Committee Meeting regarding Varian Site at 150 Sohier Road.

Referred to Committee on Public Services.

Order #038-City Clerk-Application for a new Class II Auto Dealership License for Alba Auto located at 449 Cabot Street. This business is located at the Cabot Fuels gas station location.

Referred to Committee on Legal Affairs.

Order #039-City Clerk-Application for a new Taxi/Livery license for Logistics Transportation Services, Inc. located at 8 Munroe Street.

Referred to Committee on Legal Affairs.

Order #040-Barbara Wells, Retirement & Pension Administrator-Notice of the Beverly Retirement Board Meeting to vote on a Cost of Living Adjustment (COLA) for retired members and survivors of the Beverly Retirement System for 2022.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (9-0).

Order #041-City Clerk-Applications for Lodging House Renewals for 2022.

Referred to Committee on Legal Affairs.

Communications, Application and Petitions

Order #042-Commonwealth of Massachusetts Local Election Districts Review Commission-Approval of redistricting map of Beverly.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (9-0).

Order #043-Department of Environmental Protection Waterways Regulation Program-Notice of License Application Number W21-6076.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (9-0).

Order #044-National Grid-A Petition for plan # 30452436 in accordance with the plan marked Bay View Ave.

Referred to Committee on Public Services.

The motion to recess for committee work was made and seconded. A vote was taken, and the motion carried (9-0). The meeting recessed at 8:01pm.

Flowers called the meeting back to order at 8:26pm.

Reports from Committees

Public Services

Order #035-Councilors St. Hilaire, Feldman and Crowley-A request for four Veterans Plaques to be placed in different locations in the city. Two in ward six, one in ward five and one in ward three. These Veterans were killed in action in Vietnam.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #044-National Grid-A Petition for plan # 30452436 in accordance with the plan marked Bay View Ave .

Set public hearing for Tuesday, February 22, at 7:15pm. A vote was taken, and the motion carried (9-0).

Finance and Property

Order #029-Grant-A \$7,974.36 grant for Community Traffic Safety Projects Grant from the EOPSS and the OGR for the Beverly Fire Department to purchase child passenger safety seats.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #032-Transfer from the Airport Enterprise Fund balance of \$175,000 to fund continuation work with the testing and monitoring of property at the airport.

A motion to set the public hearing for 7:25pm on Tuesday, February 22, was made and seconded. A vote was taken, and the motion carried (9-0).

Legal Affairs

Order #036-Council President-Reappointment-City Clerk and Clerk of Council Lisa Kent.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #038-City Clerk-Application for a new Class II Auto Dealership License for Alba Auto located at 449 Cabot Street. This business is located at the Cabot Fuels gas station location.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #039-City Clerk-Application for a new Taxi/Livery license for Logistics Transportation Services, Inc. located at 8 Munroe Street.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #041-City Clerk-Applications for Lodging House Renewals for 2022.

A motion to approve with the stipulation that all inspections are completed was made and seconded. A vote was taken, and the motion carried (9-0).

Order #046-Declaration Regarding the Unique Qualities and Location of 14 and 34 Simon Street for Purposes of Acquisition Under Massachusetts General Laws Chapter 30B, Section 16(e)(2).

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #023-Council President Flowers-Amendment of the Rules and Regulations, Rule 19 Order of Business.

Referred back by Legal Affairs Committee for more discussion.

Flowers read into the record the letter of support from Thomas Green of the Massachusetts Tribe.

Abu Toppin, Director of Diversity, Equity and Inclusion, read a quote from James Baldwin and stated this is an opportunity to fix a broken foundation of systemic racism. Toppin highlighted the importance of courageous intent and looking from a different angle. Change can begin with a land acknowledgement.

Feldman stated she is a member of the diversity audit for the City of Beverly. At the time that the director of diversity, equity and inclusion position was approved it was very in step with the moment. Feldman stated she had hoped it was the beginning of something and not just a way to say they did something by creating a position. Feldman stated she is excited as a councilor to have something to act on and her personal feeling is that it is the right thing to do and does not impact the course of business or the work done for constituents; it is just stating the facts and paying honor to that. Feldman stated it is the same reason she co-sponsored the plaques for the Vietnam veterans; it is the right thing to do.

Bowen stated that she thinks this is an important practice and something that should be built into the regular, ongoing approach to meetings. Bowen said feedback she received since the committee meeting has been overwhelmingly positive. Even opening the conversation has made people feel more welcome.

St. Hilaire stated he believes DEI issues are a priority for Beverly and that he is excited for the conversations and work ahead and is looking forward to the results of the racial equity audit.

St. Hilaire stated he is opposed to changing the rules of the Council and requiring that the statement be read at the beginning of every meeting. St. Hilaire stated he is happy to acknowledge the history but there are other ways to do it. This is the beginning of a conversation together.

Sweeney stated it is important to continue the conversation regardless of the result of the vote here. Sweeney thanked the residents that reached out and reflected on the opportunity that this presented to research the history of indigenous peoples in this area and learn more. Sweeney stated it is important to take proactive action as a Council to make the city more welcoming and to recognize indigenous people. Sweeney stated he is going to vote no on this matter because it comes down to amending the rules and orders to have the land acknowledgement statement read after the pledge of allegiance. Sweeney stated he does not think the intention at all was to make it a rebuttal to the pledge of allegiance but some folks may perceive it as such. It is important to focus on the pledge being a unifying call to the republic. It unfortunately has not applied to everybody equally throughout the course of the nation's history. Sweeney stated he thinks it is important to have the pledge stand alone and perhaps have a resolution framed in Council Chambers or another measure to continue the conversation would be the best step forward at this time.

Houseman clarified the nature of the vote and confirmed that the vote is not to adopt the specific language but to amend the rules of order. Houseman echoed other remarks celebrating the fact that the Council is having these kinds of conversations. It is important to value these kinds of conversations. Houseman stated that it is not difficult to think that the name of the state comes from the Massachusetts Tribe. That does not seem a particularly hard thing to acknowledge; it is certainly not threatening in any sense. It is a historical fact. Houseman stated that as community leaders this is an opportunity to invite the community at large to be faced with something different and perhaps strange and uncomfortable and ask why and what is this all about. It is a good thing as community leaders for the Council to create opportunities for the community to move forward. The notion of having a land acknowledgement seems to be a positive step forward.

Crowley stated he thinks the Council is all in agreement as far as how important it is and what has happened in the past; a lot of what is being dealt with now is deciding how to do it. Crowley stated he is not sure if it is an every time meeting thing. Crowley stated there is passion here and some great strides have been made and there is a long way to go. Crowley recommended doing a resolution and hanging it up.

Rand stated she hears that some Councilors do not feel ready to change the rules and orders and can respect that everyone is at different places with this process. Rand noted other things the council has done like banning plastic bags or inclusionary zoning, which did not start off being totally accepted. What shifted the vote then was to hear more from the public. Rand moved to refer back to Legal Affairs with the intent to hold a public forum. Houseman seconded.

Bowen stated it is both an encouraging and a frustrating proposal. Bowen agreed community conversations should continue but expressed concern that it would delay action.

Feldman echoed the sentiment and stated she is unsure what amount of public support would change the reasoning for votes if it is a procedural reason for not changing the rules of orders.

St. Hilaire agreed that he is not sure what a prolonged discussion would accomplish. This is not the end of DEI discussions within this body.

Houseman stated his notion of referring it back to Legal Affairs is that it gives an opportunity to start working on crafting some proposed language as a way of continuing the conversation. This would be more a procedural matter as a way of moving forward rather than a delay.

Rotondo stated he is not worried about the language right now but about changing the rules of order.

Rand withdrew the motion.

Houseman withdrew his second.

A motion to approve was made and seconded.

Flowers asked Rotondo to chair the meeting as Council Vice President in order to speak her opinion on the item.

Flowers thanked her fellow City Councilors for the opportunity to engage in this conversation, Thomas Green of the Massachusetts Tribe and Abu Toppin for being generous with their time and the residents who took time to reach out. Flowers recognized the commitment in the room to learning more and doing better as a community. Being on the journey together really means getting up every day and setting out on the path again. Regardless of the vote tonight, this is an opportunity to connect with the Massachusetts Tribe as it is today and to build relationships as a community. Flowers stated she is glad the Council is having this conversation and that since she first ran for City Council, she talked about what it might be to be a community and leaders who prioritize love and care for people and what it might look like to set those as the highest values and know that everything else needed would follow from there.

A roll call vote was taken, and the motion failed since amending the Council Rules and Orders requires approval by a two-thirds vote (5-4; Bowen-Yes, Crowley-No, Feldman-Yes, Houseman-Yes, Rand-Yes, Rotondo-No, Sweeney-No, St. Hilaire-No, Flowers-Yes).

Flowers stated the next regular meeting will be February 22.

A motion to adjourn was made and seconded. A vote was taken, and the motion carried (9-0).

The meeting adjourned at 9:31pm.

Scott D. Houseman-Chair
Julie R. Flowers
Matthew J. St. Hilaire

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**FINANCE AND PROPERTY / CITY COUNCIL COMMITTEE OF THE WHOLE
MINUTES**

Monday, February 7, 2022, 7:00PM
Within the Confines of the City Council Meeting
City Council Chambers
3rd Floor, Beverly City Hall, 191 Cabot St.

Houseman called to order the Finance and Property meeting at 8:05pm.
Members present: Julie Flowers, Matthew St. Hilaire, Scott Houseman

Order Number	Date to Committee	Description	Action Taken
#024	1/18/2022	Councilor Houseman-Letter regarding the Financial Forecast Committee	Hold
#029	2/7/2022	Grant-A \$7,974.36 grant for Community Traffic Safety Projects Grant from the EOPSS and the OGR for the Beverly Fire Department to purchase child passenger safety seats.	Approve 3-0

The motion to adjourn the Finance and Property meeting was made and seconded. A vote was taken, and the motion carried (3-0). The meeting adjourned at 8:07pm.

Estelle M. Rand-Chair
Todd C. Rotondo
Brendan S. Sweeney

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2022 FEB 14 A 10:33

**LEGAL AFFAIRS / CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
MINUTES**

Monday, February 7, 2022, 7:00PM
Within the Confines of the City Council Meeting
City Council Chambers
3rd Floor, Beverly City Hall, 191 Cabot St.

Rand called to order the Legal Affairs meeting at 8:06pm.

Members present: Todd Rotondo, Brendan Sweeney, Estelle Rand

Order Number	Date to Committee	Description	Action Taken
#023	1/18/2022	Council President Flowers-Amendment of the Rules and Regulations, Rule 19 Order of Business	1/31/22 – referred back to Council for discussion 3-0
#031	2/7/2022	Reappointment-to serve on the Parking and Traffic Commission, Mr. Jonathan Salt, Sgt Michael Henebury, Traffic Sargent designee BPD and Captain Ryan Laracy designee BFD	Hold
#036	2/7/2022	Council President-Reappointment-City Clerk and Clerk of Council Lisa Kent	Approve 3-0
#038	2/7/2022	City Clerk-Application for a new Class II Auto Dealership License for Alba Auto located at 449 Cabot Street. This business is located at the Cabot Fuels gas station location	Approve 3-0
#039	2/7/2022	City Clerk-Application for a new Taxi/Livery license for Logistics Transportation Services, Inc. located at 8 Munroe Street	Approve 3-0
#041	2/7/2022	City Clerk-Applications for Lodging House Renewals for 2022	Approve 3-0 with condition that all inspections are complete
#046	2/7/2022	Declaration Regarding the Unique Qualities and Location of 14 and 34 Simon Street for Purposes of Acquisition Under Massachusetts General Laws Chapter 30B, Section 16(e)(2)	Approve 3-0

8:16pm St. Hilaire and Flowers joined the meeting. Committee of the Whole called to order.

The motion to adjourn the Legal Affairs meeting was made and seconded. A vote was taken, and the motion carried (3-0). The motion to adjourn the Committee of the Whole was made and seconded. A vote was taken, and the motion carried unanimously.

The meeting adjourned at 8:22pm.

Kathleen M. Feldman-Chair
Hannah L. Bowen
Steven M. Crowley

**PUBLIC SERVICES / CITY COUNCIL COMMITTEE OF THE WHOLE
MINUTES**

Monday, February 7, 2022, 7:00PM
Within the Confines of the City Council Meeting
City Council Chambers
3rd Floor, Beverly City Hall, 191 Cabot St.

Feldman called the meeting to order at 8:20pm.

Members present: Hannah Bowen, Steven Crowley, and Kathleen Feldman

Order Number	Date to Committee	Description	Action Taken
#030	2/7/2022	Reappointment-to serve on the Beverly Golf and Tennis Commission, Mr. Martin Lawler, 109 Water Street	Held
#033	2/7/2022	Councilor Rotondo and Councilor Crowley- Consideration request to hold a Public Service forum to address the flooding in Ward 1 and Ward 3	Held
#035	2/7/2022	Councilors St. Hilaire, Feldman and Crowley-A request for four Veterans Plaques to be placed in different locations in the city. Two in ward six, one in ward five and one in ward three. These Veterans were killed in action in Vietnam	Approved 3-0
#037	2/7/2022	Councilor Crowley-Request to hold a Public participation forum for a Public Service Committee Meeting regarding Varian Site at 150 Sohler Road	Held
#044	2/7/2022	National Grid-A Petition for plan # 30452436 in accordance with the plan marked Bay View Way	Public hearing set for 2/22/2022 at 7:15pm

8:08pm St. Hilaire and Houseman joined the meeting. Committee of the Whole called to order.

The motion to adjourn was made and seconded. A vote was taken, and the motion carried (3-0). The motion to adjourn the Committee of the Whole was made and seconded. A vote was taken, and the motion carried unanimously.

The meeting adjourned at 8:19pm.